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7 UNITED STATES DISTRICT COURT

8 SOUTHERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,) Criminal Case No. 08cr1368-BTM
10)
11 Plaintiff,) I N F O R M A T I O N
12 v.) Title 8, U.S.C., Sec. 1325 -
13 MACARIO LEYVA-CANO,) Illegal Entry (Misdemeanor);
14 Defendant.) Title 8, U.S.C., Sec. 1325 -
15) Illegal Entry (Felony);
16) Title 8, U.S.C., Sec. 1325 -
17) Illegal Entry (Felony)
18)
19)
20)
21)
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24)
25)

26 The United States Attorney charges:

27 Count 1

28 On or about JAN. 26, 2004, within the Southern
District of California, defendant MACARIO LEYVA-CANO, being an alien,
unlawfully entered or attempted to enter the United States at a time
and place other than as designated by immigration officers, and eluded
examination and inspection by immigration officers, and attempted to
enter or obtained entry to the United States by a willfully false or
misleading representation or the willful concealment of a material
fact; in violation of Title 8, United States Code, Section 1325, a
misdemeanor.

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Count 2

2 On or about December 31, 2007, within the Southern
3 District of California, defendant MACARIO LEYVA-CANO, being an
4 alien, unlawfully entered or attempted to enter the United States at
5 a time and place other than as designated by immigration officers, and
6 eluded examination and inspection by immigration officers, and
7 attempted to enter or obtained entry to the United States by a
8 willfully false or misleading representation or the willful
9 concealment of a material fact and previously committed the offense
10 of illegal entry, as alleged in Count 1; all in violation of Title 8,
11 United States Code, Section 1325, a felony.

Count 3

13 On or about March 24, 2008, within the Southern District of
14 California, defendant MACARIO LEYVA-CANO, being an alien, unlawfully
15 entered or attempted to enter the United States at a time and place
16 other than as designated by immigration officers, and eluded
17 examination and inspection by immigration officers, and attempted to
18 enter or obtained entry to the United States by a willfully false or
19 misleading representation or the willful concealment of a material
20 fact and previously committed the offense of illegal entry, as alleged
21 in Count 1; all in violation of Title 8, United States Code,
22 Section 1325, a felony.

DATED: 5/8/09

KAREN P. HEWITT
United States Attorney

for Michelle N. Reid
W. MARK CONOVER
Assistant U.S. Attorney